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08 UNITED STATES DISTRICT COURT  
09 WESTERN DISTRICT OF WASHINGTON  
10 AT SEATTLE

11 UNITED STATES OF AMERICA, ) Case No.: CR05-2 MJP  
12 )  
13 Plaintiff, )  
14 )  
15 v. ) SUMMARY REPORT OF U.S.  
16 ) MAGISTRATE JUDGE AS TO  
17 ) ALLEGED VIOLATIONS  
18 ) OF SUPERVISED RELEASE  
19 NICHOLAS WES BROWN, )  
20 )  
21 Defendant. )  
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16 A probation revocation hearing on supervised release violations was held before the  
17 undersigned Magistrate Judge on December 20, 2006. The United States was represented by  
18 Assistant United States Attorney Karyn Johnson, and the defendant by Mr. Michael Filipovic.  
19 The proceedings were recorded on cassette tape.

20 The defendant had been sentenced on or about April 16, 2003, on a charge of  
21 Involuntary Manslaughter and was sentenced to twelve months and one day in custody followed  
22 by two years of supervised release. The term of supervised release was extended for one year  
23 on February 7, 2006.  
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01 In a Petition for Summons dated July 6, 2006, U.S. Probation Officer Michael S. Larsen  
02 alleged the defendant committed the following violations of the conditions of his supervised  
03 release:

04 1. Committing the crime of driving while under the influence on July 4, 2006, as  
05 evidenced by Tulalip Tribal Court criminal complaint in case TUL-CR-AL-2006-02, in violation  
06 of the standard condition that he violate no federal, state, or local laws.

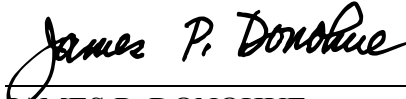
07 2. Ingesting alcohol, on or about July 4, 2006, in violation of the special condition  
08 ordering him to abstain from alcohol use.

09 At the probation revocation status hearing on December 20, 2006, defendant was advised  
10 in full as to the charges asserted in the petition for violation of his supervised release, and as  
11 to his constitutional rights. The defendant admitted Violation No. 2, and waived any evidentiary  
12 hearing as to whether it occurred. The government dismissed alleged Violation No. 1.

13 I therefore recommend that the Court find the defendant violated the conditions of his  
14 supervised release as set forth in Violation No. 2, and that the Court conduct a hearing limited  
15 to the issue of disposition. The disposition hearing has not yet been scheduled before the  
16 Honorable Marsha J. Pechman.

17 Pending a final determination by the Court, the defendant remains at a halfway house,  
18 subject to continued supervision.

19 DATED this 20th day of December, 2006.

20   
21 JAMES P. DONOHUE  
22 United States Magistrate Judge

23 cc: District Judge: The Hon. Marsha J. Pechman  
24 AUSA: Ms. Karyn Johnson  
25 Defendant's attorney: Mr. Michael Filipovic  
26 Probation officer: Mr. Michael S. Larsen